

SAS

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.1706 OF 2006
IN
INCOME TAX APPEAL (LOD) NO.888 OF 2006**

The Commissioner of Income Tax ..Appellant.

V/s.

Hotel Apsara International ..Respondent.

Mr.R.G.Bhat for appellant.

**CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.**

DATED : 16TH OCTOBER, 2007.

P.C. :-

There is a delay of 401 days in preferring the appeal. There is affidavit in support filed by Smt.N.V.Nadkarni The I.T.A.T. order dated 4/10/2004 was sent to the assessing officer only on 7/1/2005. The file was forwarded to the Ministry of Law on 25/2/2005. The draft appeal memo was received on 28/2/2006 and the appeal was filed on 17/5/2006. There is no explanation whatsoever for the delay between 25/2/2005 and 28/2/2006. In our opinion, the cause shown would not amount to sufficient cause. Hence Motion is dismissed.

(J.P.DEVADHAR, J.)

(F.I.REBELLO, J.)